

Attorney Docket No.: 10084.000-US

#14  
DP  
10/25/02  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chris Pernell

Confirmation No: 8839

Serial No.: 09/636,453

Group Art Unit: 1761

Filed: August 11, 2000

Examiner: Wong, L

For: Whey Protein Emulsion

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97(c)

Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art".

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references are listed in Form PTO/SB/08A, which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is also enclosed

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

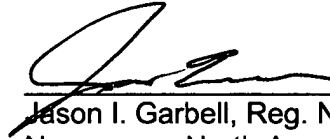
The information disclosure statement submitted herewith is being filed **within** three months of the filing date of a national application or date of entry into the national stage of an international application, or **before** the mailing date of a first Office action on the merits, or **before** the mailing date of a first Office action after the filing of a request for continued examination. Therefore, no fee is due.

The reference submitted, NO 117 338, is not in English. NO 117 338 is the Norwegian equivalent of Swiss CH 495 707, which was previously submitted in a prior information disclosure statement. Pursuant to 37 C.F.R. 1.56 (c), NO 117 338 describes the production of

whipped cream by adding to cream .01 to .5 of whey protein by weight and homogenizing the cream to produced whipped cream.

Respectfully submitted,

Date: October 17, 2002



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